

STATE OF NORTH CAROLINA  
COUNTY OF DURHAM

AMENDMENT #3 TO THE CONTRACT BETWEEN  
THE CITY OF DURHAM AND  
KING MANAGEMENT NC, LLC  
FOR  
MANAGEMENT OF THE CITY-OWNED YARD WASTE AND COMPOST FACILITY

THIS AMENDMENT ("Amendment #3") is made and entered as of this \_\_\_\_\_ day of \_\_\_\_\_, 2016, by and between the City of Durham, a North Carolina municipal corporation ("City"), and King Management NC, LLC, a corporation organized and existing under the laws of North Carolina ("Contractor").

**Amendment to the Existing Contract.** The contract between the parties entitled "Contract Between the City of Durham and King Management NC, LLC for Management of the City Owned Yard Waste and Compost Facility", dated May 13, 2012 (hereinafter "CONTRACT"), has had two amendments: Amendment #1 dated May 13, 2012, and Amendment #2 dated May 13, 2014) and is hereby further amended as follows:

1. Section 3, entitled, "Term" shall be replaced in its entirety by the following:

"The initial two year term of this Agreement commenced on May 13, 2010, and expired May 12, 2013. On May 13, 2012 the City exercised its option to renew this Contract for two additional years (Amendment #1), which expired on May 13, 2014. The City again exercised its option to renew this Contract for a second two year period by Amendment #2, which expires on May 13, 2016. By this Amendment #3, the City is again exercising its option to renew this Contract for two (2) additional years, being the third and final of the three two-year renewal terms provided for in the original Contract. The Contractor acknowledges and agrees to this renewal term, which shall expire on May 13, 2018 at 12:59 PM."

Except as amended herein, the Contract as previously amended remains in full force and effect.

IN WITNESS WHEREOF, the City and the Contractor have caused this Amendment to be executed by their duly authorized officers under seal.

KING MANAGEMENT NC, LLC

By: \_\_\_\_\_ (SEAL)  
Manager

CITY OF DURHAM

ATTEST:

\_\_\_\_\_  
City Clerk

By: \_\_\_\_\_

State of \_\_\_\_\_  
County of \_\_\_\_\_

ACKNOWLEDGMENT BY  
LIMITED LIABILITY COMPANY

I, a notary public in and for said county and state, certify that \_\_\_\_\_ personally (1) appeared before me this day, (2) stated that he or she is a manager of KING MANAGEMENT NC, LLC, a limited liability company organized and existing under the laws of the State of North Carolina (3) acknowledged that the foregoing contract with the City of Durham carries on the company's business in the usual way, and (4) acknowledged the due execution, under seal, of the contract on behalf of the company. This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

State of North Carolina  
County of Durham

ACKNOWLEDGEMENT BY  
CITY OF DURHAM

I, \_\_\_\_\_, a notary public in and for the aforesaid county and state, certify that \_\_\_\_\_ personally appeared before me this day and acknowledged that he or she is \_\_\_\_\_ City Clerk of the City of Durham, a municipal corporation, and that by authority duly given and as the act of the City, the foregoing contract was signed in its corporate name by the City manager, sealed with its corporate seal and attested by its said City Clerk or Deputy City Clerk. This the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

\_\_\_\_\_

This instrument has been preaudited in the manner required by the Local Government Budget and Fiscal Control Act.

\_\_\_\_\_  
City Finance Officer

\_\_\_\_\_  
Date